

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GURJIT S. DOAD, et al.,

Plaintiff(s),

v.

C.R. ENGLAND, INC., et al.,

Defendant(s).

Civil No. 03:21-cv-00645-JR

**JURY TRIAL MANAGEMENT
ORDER**

- 1) The Pretrial Conference is set on Monday, 11/21/2022, at 10:00 a.m. in Courtroom 10-B.
- 2) The 5-day Jury Trial is set to begin on Monday, 11/28/2022, at 9:00 a.m. in Courtroom 10-B.

An original and one judge's copy of all trial documents shall be filed with the court and a copy served on all parties in the manner specified within this order.

Due 28 Days Before the Pretrial Conference:

- 1) Exhibits and Exhibit Lists: Original exhibits, including impeachment exhibits (to be separately bound), shall not be filed with the court prior to trial unless otherwise ordered. The judge's copies of exhibits, including copies of impeachment exhibits, shall be submitted with the exhibit lists. Plaintiff's exhibits shall be numbered on yellow exhibit stickers starting with "1".

Defendant's exhibits shall be numbered on blue exhibit stickers starting with "501". The case number shall be printed on each exhibit sticker. The original and judge's copies of exhibits shall be placed into three-hole binders with clearly marked index tabs numbered for each exhibit.

Exhibit lists shall contain three columns to the right of the exhibit description labeled: "Marked", "Offered" and "Received", in that order. Exhibit lists containing proposed supplemental exhibits must be captioned as "First (Second...) Amended Exhibit List" and must list the proposed exhibits as well as all previous exhibits.

2) Lay Witness Statements and Expert Narratives: List all lay witnesses to be called, including estimated time for direct examination. Include the name and occupation, and the substance of the testimony. Do not say, "*The witness will testify about the accident.*" Say, "*The witness will testify that the defendant ran the red light and was going an estimated 30 miles per hour.*"

Submit a written narrative/report for each expert setting forth their qualifications, the substance of opinions to be expressed in detail, and the facts and data upon which the opinions are based, and the estimated time for direct examination. This document shall be entitled "Witness Statements".

3) Witness List: The parties shall each submit a simple list of the names of all potential trial witnesses. This document shall be entitled "Witness List".

4) Itemized List of Special Damages: Specify damages sought and how such damages will be proven (i.e. - through which exhibits and/or witness testimony).

5) Deposition Designations: Depositions offered in lieu of live testimony must be submitted to the court with the portions sought to be admitted highlighted on both the original and judge's copies. If more than one party wishes to use the same deposition in lieu of live

testimony, a single deposition shall be submitted jointly with each party designating on the single copy, using different colored highlighting, the portions of the depositions it intends to use.

6) Trial Memoranda: Provide a brief summary of all material, factual and legal contentions along with the elements of each claim and/or defense. Trial memoranda are limited to 35 pages without leave of court.

7) Proposed Voir Dire Questions: Parties are invited to submit proposed voir dire questions to be asked by the court. The court will grant each party a brief opportunity to follow-up on the court's questioning during voir dire.

8) Proposed Joint Jury Instructions: The parties shall submit via e-mail to "JRpropdoc@ord.uscourts.gov" a single set of jury instructions in Word format in the order that the parties wish them to be given. An original and one copy of the proposed jury instructions shall also be submitted. The parties shall identify all agreed upon instructions; if the parties disagree in the form or content of any instruction, two alternative proposed instructions may be submitted along with a brief analysis (which shall include any relevant legal authority) as to why one instruction should be given over the other.

If there are more than 20 instructions, include an index. Each instruction shall be on a separate sheet of paper citing authority in support of each principle. Where topics are covered by 9th Circuit Model Jury Instructions or by Oregon State Bar UCJI, those model instructions shall be used.

9) Proposed Verdict Form: Each party shall submit via e-mail to "JRpropdoc@ord.uscourts.gov" a proposed verdict form in Word format. An original and one copy of each party's verdict form shall also be submitted.

Due 21 Days Before the Pretrial Conference:

- 1) Motions In Limine: All motions in limine shall be filed as sub-parts within a single document which is not to exceed 35 pages without leave of court.
- 2) Objections to Witnesses or Exhibits: File any objections to witnesses or exhibits.

Due 14 Days Before the Pretrial Conference:

- 1) Rebuttal and Impeachment Documents: Rebuttal exhibits (including judge's copies of any impeachment exhibits), rebuttal lay witnesses (including any impeachment witnesses), and rebuttal expert narratives; rebuttal exhibits, lay witnesses and expert narrative are contemplated only for the party bringing a claim (i.e. - plaintiff, counterclaim plaintiff or third-party plaintiff). Original impeachment exhibits shall be marked, sealed and delivered to the court on the first day of trial. Impeachment exhibits shall be identified on the exhibit list as an "Impeachment Exhibit". Names and statements of impeachment witnesses shall be sealed and delivered to the court at the time parties' lay witness statements are due to be filed.
- 2) Responses to Motions In Limine: File any responses to motions in limine. Responses shall not exceed 35 pages without leave of court.

Pretrial Conference:

During the pretrial conference, be prepared to discuss the following:

- a) Exhibit and witness objections;
- b) What, if any, technological aids will be used to display exhibits to the jury;
- c) Deposition testimony objections;
- d) Motions in limine;
- e) Voir dire matters;
- f) Jury instructions;
- g) Verdict form;
- h) Settlement and/or mediation efforts

No exhibits or testimony will be received into evidence at trial, nor will any amended

pleadings or supplemental jury instructions be accepted unless presented in accordance with this order. Late submissions will not be accepted absent a strong showing of good cause balanced against any prejudice to the opposing party.

IT IS SO ORDERED.

Dated this 13th day of June, 2022.

by /s/ Jolie A. Russo
Jolie A. Russo
United States Magistrate Judge